

UNITED STATES DISTRICT COURT

For The District of Delaware

Monty C Pepper
Plaintiff

V

Civ no

05-84 (JJF)

Warden Thomas CarrollOfficer Bambi ThomasOfficer Nutt (Doe)Officer Ballanger Doe
Defendants

FILED

JUL - 6 2005

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U.S. DISTRICT COURT
DISTRICT OF DELAWAREMotion for Temporary Restraining OrderWithout Notice and for Preliminary Injunction

Plaintiff moves The Court upon The Verified complaint and The attached affidavits of Monty Pepper and The attached memorandum of points and authorities as follows

- 1 To issue a temporary restraining order and
- 2 To issue a preliminary injunction

Both Restraining

- 1 Officer Bambi Thomas
- 2 Officer Nutt Joe Doe
- 3 Delaware Correctional Center

From -

From

- 1 Contact from Officer Bambi Thomas
- 2 Contact from officer Nutt (Doe)
- 3 Contact from officer Ballanger (Doc)
- 4 Tampering of Food by Said Persons or others

5 Physical Threats Abusive Language and Language That endangers my Life To Stop and investigated

6 Request Investigation and affective Remedy Rendered From D.C.C

7 Allow TVs To Access Religious Services and Programs and other Rights

8 Stop The refusal of cleaning material

Spongs- mops and Sanitary needs . Torkett Paper, Razors

9 Require D.C.C. To Prevent The imminent Attack from Said Persons and others

10 Investigate The Classification System which does not screen inmates for compatibility causing The violence issues in D.C.C as "Arnold describes" and prevents me from entering The Compound

From

11 Stop Disciplinary Action against
me until an investigation on
said Persons is done and ~~as to 1017654~~
ACTION

12 Request The Court To appoint
or Request individuals from a Federal
Source To investigate

US District Court for
The District of Delaware

1

I declare under penalty of perjury

That The foregoing is True and correct

- 1 ON 2/23/05 I filed suit in US District Court Case name Pepper V Carroll et al case no# 1:05-cv-84 Pursuant To A Civil Rights ACT 42 USC §1983 -- Complaint
- 2 I That claim / Complaint I have stated Facts of Abusive Language Restrictions on Legal Calls Restrictions on Religious Services and Loss of Privileges As Inmates on compound as well as The MHU SHU Death Row enjoy in Protective Custody These Rights are Refused
- 3 AS of may 30 2005 my Request for a Legal call was denied
- 4 On or around April / May I Requested Legal Assistance from a court Appointed counsel
- 5 On Feb 2005 There were Threats of Putting a razor in my Cell By officer Thomas and officer Sneed And Physical Threats from Sneed he has been Taken of The Tier
- 6 On 4/29/05 officer Thomas in front of Counsler Sims and Woc Doc co and hund by all inmates on The Tier Officer Thomas yell's out quote "I you weren't a Child Molester you'd sign off "(I am not a Child molester) This was done because I aske Counsler Sim's for razors That Thomas had Refused everyone Last Share was Tuesday it was now Friday I grieved advanced ^{4/29/05} 13204 apparently Recived 6/9/2005 on 6/29/05 IT was hund IT was upheld but STATES only quote ' STAFF should not be verbally abusing inmates no! other action was Taken . This statement By Thomas was was worse Than Calling me a snitch which Puts my well being as well as my Life in danger
- 7 On 5/11/05 Thomas wife I was in The shower after Calling me a STINKING BITCH because I wanted no To Take a Shower because my Towel was in The dirty Clothes She Thomas Said I was Takeing one if I had To do

OFF with my clothes Thomas Wrights me up
on a Lie by stating That I Said Some one should
smack That Bitch. which I did not AT a hearing which
The write up I got 20 days after The incident yet
Rule 300-222 says iT should had been written That day
during The hearing 6/16/05 officer Savage refused
my witness my affidavids and a statement from me
when I Said IT was Retaliation he and Thomas
Laffed and asked how do you spell That Then found me
Guilty and gave me 15 day in The hole which LT Respolo
Said That would never happen IAppealed but do
not expect a fair or just outcome These Actions are
Retaliation and iT extends To high officials

On or around June 18-+05 Thomas Nutt Ballanger
Doe officers start Tampering with my lunch by placing
oniverust on my Tray Taking Chese PUTTING some-
thing in my salad squashing roles no juice in cup
Food dirty The last incident Nutt Thomas gave
a tail hotdog role for chicken Pattie everyone
Ham Berger roles There "may" have been SPIT in
my salad. officer Thomas Tryed To get The role back
Befor She could officer Porter and counster
Came on The Tear I asked off Porter To Look he
Refused I told him what had happend counster
did Look said he would do something Thomas said
SomeThing Pryan To Them Leaving The Tear --
officer Porter wrote my cell # down he could tell
I was mad and I wrote a grievance on The
incidents

This Food Tampering has happen about 10 Times I grieved each one with no action I've wrote letters To Warden Caroll Asst Warden Internal Affairs grievances LT Respolo and counsler Sims . with NO ACTION AT ALL!

Dr Remmie officer Phillips Dr Gatten nurses And other have seen The bread Crust squashed food what I can save others Like LT Porter counsler and Dr Remmie and Dr Gatten were There while my Tray was still in The cell Dr Gatten Told me To dokument it not no action Taken Officer Phillips got LT Watkins Told him Two Times no action Told LT Seacord no action These co officers have seen and have or heard Thomas and nutte abuse while off LT Porter was on The Tier counute says Pepper I'll make a deal I'll get you a Little Bay for a cellie and Call it even Thomas and nutte and co Boston Laffed

I have not eaten Lunch for approx 3 weeks now If They are on duty I fear my food

The Lack of action from DCC officials has embolden Them This month I have morning reck wish They are in charge

On one incident of food Tampering officer Nutte along with officer Ballanger I assume trying to find The crusts They had Left Trashed my cell Peeling out my sugar my legal work which consisted of

4 9x12 Envelopes of Legal work from Superior Court as well as district court and dumped them all over my desk and cabinet. Enduring out Debbie boxes Trashing bed Throwing clothes sheets ect on the floor "my floor has not been moped since last month" may we are refused mop and cleaning material. Officer Phillips Officer Watkins witnessed my cell condition after this event Officer Phillips has been the only one to let me mop my cell she informed officer Watkins, she can get in trouble for giving us a mop.

Even Saturday July 2 05 Thomas Refused to give us Toilet paper some inmates had to use socks we finally got it to day Sunday July 3 05 we only get 1 role a week if you run out you must beg for a wrap "a small amount wrapped around a hand" Some 4-12 shift will give you some 8-4 will not 8-4 shift will not do anything.

This comming week I am in fear Thomas and none can do anything from Trashing my cell to wrigting me up on bogas claims or physically attacking me which I expect because of the inaction of there superiors I will not be able to eat lunch I know and fear for my life This is just some of the abusive acts that are done others I decribed in other affidavids to the

Court I Payer Requests

I am in imminent danger and The Request for help from DEC officials which I have copies for go unheeded Officer Thomas has intercepted Letters before witnessed by officer Pike and Paul I don't know if his honorable court has received other Request and motions

As I say I AM I "imminent" danger from Physical attack" as well as attack on my STATUS as a inmate by bogas write-ups The Stress from This worry has affected my sleep severly and Eating is ended as far as Lunch goes

They can attack me with no worry from Superiors just as The food Tampering continues

I am now Requesting To sign off which also puts my life in danger because of The infaciant classification system has shown by The amount of attacks one on guard by a Lifer Attacks on inmates don't make The news There was a stabbing Thursday

I ask the court to act in my behalf
for my safety as well as the well being of
others who fear to but are afraid to
say anything in fear of Retaliation who
will if they know they are safe and guards
will if they know there job is safe

I only got the information to do this
motion Friday and don't know if it is correct
due to restrictions to the law library and iniquit
assistance

I have no way to inform the defendants

I Monty Pepper do declare under the
penalty of perjury that the foregoing
is true and correct

This date of July 3 2005

Monty Pepper
Monty Pepper
00156920

Immorty Pepper

SBI#~~001156926~~ INITI& B18

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